

REMARKS

The present response accompanies a Request for Continued Examination (RCE). Claims 1-9, 11-15, and 17-20 are currently pending in the present application. Support for the above amendments may be found throughout the present specification, such as paragraph [0025], for example. No new matter has been added by way of the amendments.

Claim Rejections – 35 U.S.C. § 101

Claims 9-14 stand rejected under 35 U.S.C. § 101 under the contention that the claimed subject matter is directed to non-statutory subject matter.

Regarding claim 9, the Office Action contends that the claim recites data structures that are not claimed as embodied in computer-readable media, and therefore are not statutory because they are not capable of causing functional changes in the computer. As set forth above, claim 9 has been amended to recite a computer-readable medium comprising computer readable instructions for providing a plurality of interrelated tables and for providing a plurality of policy variable in each table. Thus, the claim now recites instructions for causing functional changes in a computer. Claim 10 has been canceled. For at least these reasons, it is respectfully submitted that the rejection of claim 9, dependent claims 11-14, and canceled claim 10 under 35 U.S.C. § 101 should be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Rejection of Claims 1-5 and 7-20

Claims 1-5 and 7-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,832,447 to Rieker et al. (“Rieker”) in view of U.S. Patent No. 5,191,522 to Bosco et al. (“Bosco”). Without conceding the merits of the rejection, Applicants have amended claims 1, 9, and 15 to further clarify the claimed subject matter.

As amended, independent claim 1 recites, in part, a method of managing deductibles for insurance policies comprising providing a plurality of interrelated tables and a plurality of policy variables for each table. Further, the method comprises providing a first key reference in a first table, where the first key reference identifies a first specific group of the variables. The method also comprises matching the first key reference to a

second table, where the first key reference identifies a second specific group of variables and a plurality of additional key references. The second table includes a first deductible. The method includes matching the plurality of additional key references to a plurality of respective additional tables, the additional key references identifying a plurality of additional specific groups of variables. Further, the method comprises (1) *accessing the second table using the first key reference to retrieve the first deductible*; (2) *comparing the first deductible with a second deductible*; and (3) *determining a deductible amount for a related policy renewal based on the comparison of the first deductible with the second deductible*.

For example, referring to paragraph [0025] and Figure 6, of the present application, a logic decision 601 uses variables in Figure 2 to determine if conditions are met. Figure 2 shows a policy deductible table including deductible variables, a group of which can be referenced by a key reference shown in the table of Figure 1. A default deductible is compared to a current deductible at step 601 (Present application at ¶ [0025] and Fig. 6). If the conditions are met, the default deductible is used at step 602 of Figure 6 (*Id.*). If the conditions are not met, a current deductible may be used at step 606, a higher deductible may be used at step 609, or a lower deductible may be used at step 611 (*Id.*). The deductible selected by the diagram of Figure 6 may be used in the policy. As demonstrated by this example, the subject matter of the present application advantageously provides a method of managing deductibles by (1) *accessing a table using a key reference in another table to retrieve a first deductible*; (2) *comparing the first deductible with a second deductible*; and (3) *determining a deductible amount for a related policy renewal based on the comparison of the first deductible with the second deductible*.

Rieker does not teach or suggest the claimed features of a method of managing deductibles by (1) *accessing a table using a key reference in another table to retrieve a first deductible*; (2) *comparing the first deductible with a second deductible*; and (3) *determining a deductible amount for a related policy renewal based on the comparison of the first deductible with the second deductible*. Rather, Rieker discloses “three high-level processes performed by real-time [insurance] verification system” for a health care provider (Rieker at col. 7, lines 24-26). The three processes – capture, communications, and control – disclosed in Rieker describe a method that retrieves and analyzes information of a patient’s

insurance coverage and outputs an indication of insurance eligibility (Rieker at col. 7, lines 27-47). However, there is no disclosure in that the tables are used in the way recited by claim 1 for comparing one deductible with another deductible, accessed in a table by using a key reference, to determine a deductible.

Further, the Office Action references the flowchart of Figures 7A-7C, particularly items 264, 268, and 286, and the related text, of Rieker as disclosing “determining comprises a first deductible with a second deductible”. Figures 7A-7C are a flowchart of program control steps performed by a control process 174. Referring to Figure 7B, item 264 is a step for comparing billing numbers of all transaction that have occurred within a time period (Rieker at col. 9, lines 9-14). Item 268 is a step for comparing a new request with a previous request (Rieker at col. 9, lines 22-28). Referring to Figure 7C, item 286 is a step for reading a primary insurance (payor) field and for comparing it to a table listing available payors for eligibility transactions (Rieker at col. 10, lines 32-38). However, there is no disclosure or suggestion in this cited portion or anywhere in Rieker of the claimed subject matter of a method of managing deductibles by (1) *accessing a table using a key reference in another table to retrieve a first deductible*; (2) *comparing the first deductible with a second deductible*; and (3) *determining a deductible amount for a related policy renewal based on the comparison of the first deductible with the second deductible*.

Bosco discloses a database entity containing specific values, which may include a deductible, for benefits chosen by an insured person at column 9, lines 10-18. However, Bosco, like Rieker, does not disclose or suggest a method of managing deductibles by (1) *accessing a table using a key reference in another table to retrieve a first deductible*; (2) *comparing the first deductible with a second deductible*; and (3) *determining a deductible amount for a related policy renewal based on the comparison of the first deductible with the second deductible*. Rather, Bosco, in describing an integrated group health insurance processing system, discloses an entity-relationship model of an enterprise-wide insurance system data model (Bosco at col. 5, lines 14-32). Bosco only discloses a method of a client choosing a deductible from among specific predetermined deductibles in designing an insurance plan with no mention of using tables in the way recited by claim 1 for comparing one deductible with another deductible, accessed in a table by using a key reference, to determine a deductible.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Rieker and Bosco, alone or in combination, do not disclose or suggest the features recited by claim 1 and dependent claims 2-5, 7, and 8. Therefore, Applicants respectfully request the withdrawal of the rejection of claims 1-5, 7, and 8 under 35 U.S.C. § 103(a).

Similar to claim 1, claims 9 and 15 recite (1) *accessing a table using a key reference in another table to retrieve a first deductible*; (2) *comparing the first deductible with a second deductible*; and (3) *determining a deductible amount for a related policy renewal based on the comparison of the first deductible with the second deductible*. Accordingly, at least for the reasons set forth with respect to claim 1, Applicants respectfully submit that Rieker and Bosco, either alone or in combination, do not disclose or suggest the features recited by independent claims 9 and 15 and their dependent claims 11-14 and 17-20. Claims 10 and 16 have been canceled. Therefore, the withdrawal of the rejection of claims 8-20 under 35 U.S.C. § 103(a) is respectfully requested.

Rejection of Claim 6

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Rieker in view of Bosco and further in view of U.S. Patent No. 5,325,291 to Garrett et al. ("Garrett").

Claim 6 depends upon claim 1. For at least the reasons set forth above, Rieker and Bosco, alone or in combination, do not disclose or suggest the claim 1 features of a method of managing deductibles by (1) *accessing a table using a key reference in another table to retrieve a first deductible*; (2) *comparing the first deductible with a second deductible*; and (3) *determining a deductible amount for a related policy renewal based on the comparison of the first deductible with the second deductible*.

Garrett also does not disclose or suggest a method of managing deductibles by (1) *accessing a table using a key reference in another table to retrieve a first deductible*; (2) *comparing the first deductible with a second deductible*; and (3) *determining a deductible amount for a related policy renewal based on the comparison of the first deductible with the second deductible*. More particularly, the Office Action references Figures 5 and 6 and the related text of Garrett, which describes displaying different screens to a user on a terminal to give the user information as to the results of comparisons such as the number of insurance and vehicle records checked, the number and type of mismatches and the records found there

DOCKET NO.: OUSA-1005 / US-0011.01
Application No.: 10/649,237
Office Action Dated: December 9, 2008

PATENT

(Garrett at col. 5, lines 20-29). However, the cited portion and nowhere else does Garrett disclose or suggest the features recited by claim 1. Accordingly, Applicants respectfully submits that the rejection of dependent claim 6 under 35 U.S.C. § 103(a) should be withdrawn.

DOCKET NO.: OUSA-1005 / US-0011.01
Application No.: 10/649,237
Office Action Dated: December 9, 2008

PATENT

CONCLUSION

In view of the foregoing, Applicants respectfully submit that the claims are allowable and that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Kenneth R. Eiferman, to discuss the resolution of any remaining issues.

Date: April 9, 2009

/Kenneth R. Eiferman/

Kenneth R. Eiferman

Registration No. 51,647

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439